

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-v-

BIOVAIL CORPORATION, EUGENE N. MELNYK,  
BRIAN CROMBIE, JOHN MISZUK, and  
KENNETH G. HOWLING,

Defendants.

Index No. 08 CIV 02979  
(LAK) (GWG)

ECF Case

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK:

: SS

COUNTY OF NEW YORK:

Roddie Don Daniels, being duly sworn, deposes and says:

1. I am not a party to this action, am over 18 years of age and am employed by Cadwalader, Wickersham & Taft LLP, One World Financial Center, New York, NY 10281.

2. On the 13<sup>th</sup> day of June, 2008, I served a true and correct copy of the

- Initial Disclosures of Defendant John Miszuk Pursuant to Federal Rule of Civil Procedure 26(a)(1)

by depositing a true copies thereof enclosed in an official depository under the exclusive care and custody of the U.S. Postal service, addressed to the following:

David Becker  
Robin Bergen  
Shawn Chen  
Cleary Gottlieb  
2000 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Michael Rivera  
Fried Frank  
1001 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Gregory Joseph  
Mara Leventhal  
Law Offices of Gregory P. Joseph  
485 Lexington Avenue  
30<sup>th</sup> Floor  
New York, New York 10017

Carmen Lawrence  
Fried Frank  
One New York Plaza  
New York, New York 10004

Dennis Auerbach  
Lanny Breuer  
Covington & Burling, LLP  
1201 Pennsylvania Avenue, N.W.  
Suite 1015  
Washington, D.C. 20004



Roddie Don Daniels

Sworn to before me on this  
13<sup>th</sup> day of June 2008

DAVID MOUHA JR  
NOTARY PUBLIC, State of New York  
No. 0940944496  
Qualified in Bronx County  
Commission Expires October 5, 2009  
*Ce AC*